



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,742	10/10/2003	Giok Djien Go	G6A4	9825

7590 06/23/2004
Giok Djien Go
Pfahlgrabenstrasse 45
Idstein, Hessen, D-65510
GERMANY

EXAMINER

DRAPER, DEANN L

ART UNIT	PAPER NUMBER
----------	--------------

3616

DATE MAILED: 06/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/690,742

Applicant(s)

GO, GIOK DJIEN

Examiner

Deanna L. Draper

Art Unit

3616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 14-18 and 20 is/are rejected.
- 7) ☒ Claim(s) 4-13, 19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4/5/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Acknowledgements

The Preliminary Amendment and Substitute Specification filed on March 2, 2004 are acknowledged.

Drawings

The drawing correction was received on February 5, 2004. These drawings are acceptable.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 14 – 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 14 and 15 recite the limitation “the free-moving anti-submarining buckle assembly” in lines 1 – 2. There is insufficient antecedent basis for this limitation in the claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 3616

Claims 1 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Monagas (US 5,524,928). Monagas discloses an automobile restraint system including a seat belt consisting of at least one shoulder belt portion (14 in Fig. 1), a lap belt portion (46 in Fig. 1), and an extending belt portion (12 in Fig. 3), a main buckle assembly (26 in Fig. 1) having a master release button (28 in Fig. 2) and attached to the floor of the vehicle adjacent to a first seat side of a vehicle (see 22 in Fig. 1), a lower belt deflector (44 in Fig. 4) deflecting and loosely guiding the shoulder belt portion and attached to the floor (see Fig. 3). Monagas also discloses a main latch plate (32 in Fig. 2) movable along the lap belt, and a latch plate (30 in Fig. 2) which is an anti-submarining latch plate, whereby the lower and upper part of a passenger's body are restrained by the lap and shoulder belt portions when the main latch plate is plug in connected and the lap belt portion is subdivided into two anti-submarining belt portions (see Fig. 1) to restrain thighs of the passenger when the anti-submarining latch plate is plug-in connected to the anti-submarining buckle assemblies.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Monagas as applied to claim 1 above, and further in view of Tame (US 5,123,673). Monagas discloses the invention as claimed, however the anti-submarining buckle assemblies are not located on the seat

Art Unit: 3616

cushion. Tame discloses a seat belt system for a vehicle seat including belt buckle assemblies (32, 42 in Fig. 2) located on the seat cushion and having a common release button (56 in Fig. 4a) in order to allow safe use of the seat and ease in releasing the safety belt. Therefore it would have been obvious to modify Monagas by locating the buckle assembly having a common release button on the seat cushion in order to allow ease in use of the seat and when releasing the safety belt, as taught by Tame.

Allowable Subject Matter

Claims 4 – 13 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 14 – 18 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Mason (US 4,402,548) discloses safety seats for vehicles. Schneider et al. (US 6,705,641) discloses an inflatable seat belt system. Bradley (US 6,179,329) discloses a vehicle occupant restraint harness. Johnson (US 5,131,683) discloses a torso restraining assembly for an automobile seat. Igeta (US 3,977,696) discloses seat belt equipment. Painter (US 4,231,616) discloses a combined shoulder harness and lap belt restraint apparatus having single

Art Unit: 3616


fasten/release point at lap buckle. Pywell et al. (US 6,139,111) discloses a four point seat-mounted restraint apparatus. Howell (US 5,641,200) discloses a child restraint seat for a shopping cart.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Deanna L. Draper whose telephone number is 703-306-5939. The examiner can normally be reached on Monday - Friday, 9:00 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul N. Dickson can be reached on 703-308-2089. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

dld


DEANNA DRAPER
PATENT EXAMINER

 6/14/04
PAUL N. DICKSON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600